

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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E\*TRADE SAVINGS BANK and  
E\*TRADE MORTGAGE CORPORATION

Plaintiffs,

-against-

NATIONAL SETTLEMENT AGENCY, INC.;  
FAST TRACK TITLE AGENCY LLC; STEVE  
M. LEFF; RACHEL M. LEFF; and RICHARD  
LEFF,

Defendants.  
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07-CV-8065 (LTS)(GWG)

**DEFENDANT FAST TRACK TITLE  
AGENCY LLC'S RULE 26(a)(1)  
DISCLOSURES**

NOW COMES Defendant, FAST TRACK TITLE AGENCY LLC (hereinafter "Fast Track"), by and through its attorneys, CLAUSEN MILLER P.C., and pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, provides the following information and documents for its initial disclosures:

**A. Individuals: The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.**

1. Richard A. Leff  
10 Park Road  
Short Hills, NJ 07078

Mr. Leff should have knowledge concerning the relationship between National Settlement Agency, Inc. and Fast Track and knowledge concerning their operations, employees and officers.

2. Steven M. Leff  
15 Anvil Court 15  
East Hampton, NY 11937

Mr. Leff should have knowledge concerning the relationship between National Settlement Agency, Inc. and Fast Track and knowledge concerning their operations, employees and officers, and the missing funds.

3. Sandy Dombakly  
404 Park Avenue South  
5th Floor  
New York, NY 10016

Ms. Dombakly is or was an employee of Fast Track and may have information concerning the company, its operations, its employees and its officers.

4. Any and all individuals identified by Plaintiffs and/or Co-Defendants in their Initial Disclosures, Answers to Interrogatories and/or Rule 34 document production.

**B. Documents: A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.**

The following documents are in the control and possession of the attorneys for Defendant Fast Track at Clausen Miller P.C., One Chase Manhattan Plaza, 39th Floor, New York, New York 10005:

Deposition transcript and exhibits of Richard A. Leff dated August 9, 2007;

Affidavit of Richard A. Leff dated September 4, 2007.

Any and all documents identified or otherwise produced or subpoenaed by Plaintiffs and/or Co-Defendants pursuant to Federal Rules of Civil Procedure 26, 33, 34, or 45.

**C. Damages: A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.**


Defendant Fast Track is not claiming any damages and, accordingly, is not providing a computation for any category of damages.

**D. Insurance: For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

Defendant Fast Track is in possession of a Professional Liability Errors & Omissions policy from Houston Casualty Company, policy number H707-11615, which insured it from 03/12/07 to 09/06/07.

**E. This initial disclosure is based upon the information reasonably available to Defendant at this time. Defendant, pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, reserves the right to supplement this initial disclosure at the appropriate time, if and when additional information becomes available.**

Date: December 12, 2007

By:   
Carl M. Perri

Carl M. Perri  
CLAUSEN MILLER P.C.  
One Chase Manhattan Plaza, 39th Floor  
New York, New York 10005  
(212) 805-3900  
Attorneys for Defendant Fast Track Title Agency LLC

**CERTIFICATE OF SERVICE**

The undersigned, after being duly sworn, certifies that true and correct copies of Defendant Fast Track Title Agency LLC's Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) were served via first class mail on December 12, 2007 on the following attorneys of record:

Kelly A. Moore, Esq.  
Lisa M. Campisi, Esq.  
Morgan, Lewis & Bockius, LLP  
101 Park Avenue  
New York, NY 10178

Jonathan B. Bruno  
Kaufman Borgeest & Ryan LLP  
99 Park Avenue, 19th Floor  
New York, NY 10016

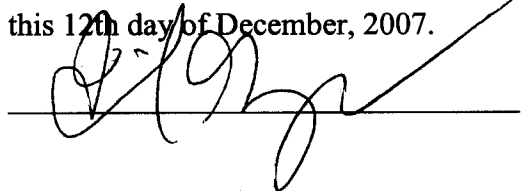
Lawrence F. Morrison, Esq.  
220 East 72nd Street, 25th Floor  
New York, NY 10021

Michael L. Soshnick, Esq.  
190 Willis Avenue, Suite 112  
Mineola, NY 11501

By. 

Carl M. Perri

Subscribed and Sworn to before me  
this 12th day of December, 2007.



**DAVID GROUP**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**NO. 02GR8071**  
**QUALIFIED IN ROCKLAND COUNTY**  
**COMMISSION EXPIRES MARCH 18, 2010**